

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-252-MSG
)	
MODERNA, INC. and MODERNATX, INC.,)	
)	
Defendants.)	
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)	
MODERNA, INC. and MODERNATX, INC.,)	
)	
Counterclaim-Plaintiffs,)	
)	
v.)	
)	
ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Counterclaim-Defendants.)	

STIPULATION TO EXTEND TIME

WHEREAS, Plaintiffs Arbutus Biopharma Corporation and Genevant Sciences GmbH and Defendants Moderna, Inc. and ModernaTx, Inc. have identified certain existing discovery: 1) discovery pursuant to paragraphs 5 and 6 of D.I. 299, and 2) the third-party discovery referenced in D.I. 390, that remains pending despite the parties' best efforts to complete discovery within the existing case schedule;

WHEREAS, the parties have met and conferred on how best to address the timing and scope of the pending discovery, and have discussed potential impacts on the timing of expert discovery and subsequent dates in the schedule, including trial;

WHEREAS, the parties have jointly determined that the following extension would avoid disruptions to the expert discovery schedule and the trial schedule, as well as the potential need for further extensions;

WHEREAS, the parties have worked and will continue to work productively in good-faith to conclude these existing discovery matters in an efficient manner;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties and subject to the approval of the Court, that the following deadlines will be extended as follows:

Event	Current Deadline	Proposed Deadline
Opening expert reports.	August 5, 2024	November 25, 2024
Rebuttal expert reports.	September 16, 2024	February 14, 2025
Reply expert reports.	October 18, 2024	March 21, 2025
Advise expert deposition availabilities.	October 18, 2024	March 24, 2025
In Court conference re: Daubert & Summary Judgment motions	November 15, 2024	April 24, 2025 at 10:00 a.m.
Close of expert discovery	November 15, 2024	April 25, 2025
Summary judgment/Daubert motions due.	December 23, 2024	May 30, 2025
Oppositions to summary judgment/Daubert motions due.	January 31, 2025	July 3, 2025
Replies ISO summary judgment/Daubert motions due.	February 25, 2025	July 24, 2025
Hearing on summary judgment/ <i>Daubert</i> motions.	TBD	TBD

Event	Current Deadline	Proposed Deadline
Serve draft pretrial order.	March 7, 2025	August 4, 2025
File proposed pretrial order, jury instructions, voir dire, special verdict forms.	April 4, 2024	September 8, 2025
Pretrial Conference (subject to the Court's availability)	April 11, 2024	September 15, 2025
Trial (subject to the Court's availability)	April 21, 2025	September 24, 2025 (subject to the Court's availability)
File joint order and post-trial status report 7 days after jury verdict.	TBD	TBD

Pursuant to D. Del. LR 16.4, counsel certifies that copies of this stipulation have been sent to their respective clients.

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/s/ Emily S. DiBenedetto

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Dated: August 5, 2024

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Attorneys for Defendants

IT IS SO ORDERED this 15th day of August, 2024.

/s/ Mitchell S. Goldberg

Hon. Mitchell S. Goldberg